

State of North Carolina – Office of Administrative Hearings

North Carolina Human Relations Commission

**Meeting Minutes
February 18, 2021**

The Human Relations Commission met on Thursday, February 18, 2020 via Video and Phone. Commissioners present were Toussaint Romain (Chair), Matthew Hughes (Vice Chair), Linda Jackson Barnes, ZaKiya Bell-Rogers, Nicholas Byrne, Edith Chance, Sheila Cuffee, Jameesha Harris, Lauren Haigler Henderson, Richard Huffman, Howard Morgan, Paul Norman, TR Nunley, Philip Sheridan, Reginald Speight, Ralph Stevenson, Amelia Stinson-Wesley, Charlotte Williams.

OAH Staff members present were Lamont Goins, Gene Troy, Richard Boulden, Elouise Williams, Arthur Harrell, Judge Julian Mann.

Speakers present were Ronnie and AshLeigh Long.

Public present was Amy Mull.

CALL TO ORDER, PRAYER, PLEDGE OF ALLEGIANCE, WELCOMING REMARKS

The virtual meeting began at 11:08 a.m. and was led by Chair Toussaint Romain. Prayer given by Chair Toussaint Romain. The Pledge of Allegiance was led by Chair Toussaint Romain. He also gave the welcoming remarks.

ROLL CALL AND ESTABLISHMENT OF QUORUM

The Roll was called by Attorney Richard Boulden. The quorum for the meeting was met.

APPROVAL OF MINUTES OF LAST MEETING

The last meeting minutes (October 29, 2020) were motioned and seconded by several Commissioners to approve and accept as written. All commissioners were in favor.

UPDATE ON NEW COMMISSIONER(S)

Chair Toussaint Romain asked for the names of the new commissioners. Administrative Specialist Elouise Williams reported the names of new commissioners: ZaKiya Bell-Rogers, Sheila Cuffee, and Howard Morgan. Chair Toussaint Romain stated that the commissioners that still need to receive the oath of office will be sworn in on an upcoming appointed date by Judge Julian Mann. Attorney Richard Boulden suggested an oath of office process that has been used. Chair Romain thanked Attorney Boulden for his suggestion but recommended to have an appointed date for in-person oath for the commissioners.

UPDATES AND INFORMATION FROM OAH STAFF

HRC Human Relations Specialist Vacancy Update

Director Lamont Goins reported that Ashley Foster has been hired for the vacant Human Relations Specialist position. She will begin her employment on March 1, 2021. Her role will be an Investigator for Fair Housing.

HATE CRIMES and HATE BIAS REPORT

Program Manager Gene Troy reported on the final total for year 2020, a total of 2,074 plus incidences have been reported. A total of 46 incidences out of that total were hate crimes. A total of 2,228 plus incidences were considered to be hate biases. The top hate crimes were vandalism or destruction of property a total of 23. The top hate biases were derogatory public statements a total of 2,023 plus incidences have been reported. As of January 27, 2021, a total of 13 hate crimes and hate bias incidences have been reported. Chair Romain thanked him for his report. Commissioner Nunley asked was there an increase in hate crimes. Mr. Troy said it was a slight increase in hate biases in public expressions in elected officials or those with certain powers during an election year. Co-Chair Matthew Hughes wanted the report in detail to be sent out to him. Mr. Troy agreed to send the detailed report out to him. Commissioner Sheila Cuffee asked about if there is a trend in Asian hate assaults in his report. He responded; they have not been reported to this office. They must be willing to report it to our office in order for it to be listed. She also asked is this being reported from municipal law enforcements or from citizens themselves. Mr. Troy answered it comes from municipal law enforcements, citizens, other Human Relations Commissions, various organizations like NAACP, newspaper articles, newspaper articles, and/or links sent to the office. A follow-up to the information given is then investigated. Chair Romain asked if Mr. Troy had any recommendations or suggestions in how the Commission should prepare or proceed to support the work Mr. Troy is monitoring. Mr. Troy answered that the commissioners could be alert in the news reporting in their local area and send the links to him. Chair Romain gave a few remarks and thanked Mr. Troy for his report and for being the host of this meeting.

INTRODUCTION OF GUEST SPEAKER RONNIE LONG

Chair Romain introduced the guest speaker, Mr. Ronnie Long and his wife, Mrs. AshLeigh Long. Mr. Ronnie Long spent 44 years in prison for a crime he did not commit. There was evidence that was withheld by the prosecutor in Cabarrus County. Mrs. AshLeigh Long was a college student of Chair Romain (Professor). She championed the cause to get Mr. Long released from prison. Mr. Long spoke via video on their way to get his driver's license. Chair Romain welcomed him to the meeting. Mr. Long spoke on his fight and struggle for 44 years with the North Carolina law system to prove his constitutional rights had been violated, which failed him and did not give him any form of relief. He took his case to the second highest court in the United States, where 15 judges heard his case, with 9 judges ruling in his favor saying he is innocent. He is still waiting to be compensated for the 44 years wrongfully taken from his life spent in prison. He said he is disappointed with the state of North Carolina and its criminal justice system, that they stabbed him in the back. Chair Romain thanked Mr. Long for sharing with the commission. The commission hears the passion, frustration, and injustice. Chair Romain stated that his innocence was proven and that he recently received a pardon from Governor Cooper and that process is working itself out and that being in prison for 44 years is a tragedy. He was thanked again for sharing with the commissioners. There is work for the commissioners to do because there are too many stories like this in this state. Mrs. Long stated that he had loss his mother and other relatives during the 44 years. Commissioner Linda Jackson Barnes gave comments and expressions of kindness and wished him well. Mr. Long said he appreciated the commissioners for giving him to time to speak. Chair Romain thanked him again for being a voice and advocate for those that experienced similar injustices. Chair Romain thanked the commissioners for listening to the speaker.

Chair Romain also thanked Judge Julian Mann for attending the meeting. He then asked Judge Mann to officiate over the oath of office for two of the new commissioners. Judge Mann said he would make the arrangements for the oath of office for the new commissioners to be officially installed in office. Chair Romain thanked Judge Mann for his response.

PUBLIC COMMENTS

Chair Romain opened the floor for public comments. Program Manager Gene Troy reported there are no public comments at this time.

OLD BUSINESS

Federal Moratorium on Housing

Attorney Richard Boulden reported that the federal moratorium to stop evictions has been extended to March 31, 2021 and may be extended longer through the COVID stimulus bill. He also spoke on what a federal moratorium is. The landlords cannot follow through with an eviction due to tenant non-payment of rent due to a nationwide lock on stopping evictions for renters. Governor Roy Cooper issued an executive order providing protection for residential and commercial tenants. Chair Romain thanked Attorney Boulden for his report. Commissioner Reginald Speight also spoke on behalf of the federal level about the federal moratorium that it will also provide relief to landlords, so they would not have to foreclose on their properties. Chair Romain thanked Commissioner Speight for the update.

Report on Local HRC Statewide Meeting

Program Manager Gene Troy reported the state-wide meeting of the local commissions was held on Tuesday; December 15, 2020 sponsored by the Raleigh Office of Equity and Inclusion which includes the Raleigh Human Relations Commission. Dr. Audrey Caesar, director of the office, was the host of the meeting. There were a total of 51 people participating and representing 17 out of 25 different commissions throughout the state. Chair Romain was one of the main speakers that was present at the meeting. He provided information and made a request to local commissions to be partners with the state commissions when it comes to any legislations that the commissions may want to propose to the General Assembly and ideas that will improve human relations across the state of North Carolina. The next statewide meeting will be held on Tuesday, March 30, 2021 from 9:30 a.m. to 12:30 p.m. Commissioners interested in attending should email Mr. Troy an R.S.V.P. Chair Romain made remarks and opened the floor for questions.

Update on Potential Speakers for Future Meetings

Commissioner Angelo Mathay was on another assignment. Commissioner Nicholas Byrne reported on the update. He reported on who the speakers were from the October 2020 meeting and what they discussed. They are in the process of gathering the information from speakers about housing, COVID-19, and economic hardships to formulate an outline of a proposal to the commission. April is National Housing Affordability Month and to plan on putting out a resolution on this topic. Commissioner Byrne was thanked for his report. Chair Romain called on Commissioner Ralph Stevenson to answer a question about his suggestion on getting the proposal done. He said to take into consideration the property managers, landlords, and tenants. Chair Romain asked him about legislations, etc. for this to go forward.

Commissioner Stevenson said the commissioners should make it known to the people they represent. Chair Romain made remarks and opened the floor for questions.

Chair Romain reported that he will follow-up with the new commissioners needing the oath of office to look for an email from him or from Ms. Elouise Williams, Administrative Specialist, with follow-up information to set up the meeting.

Black Lives Matter Protest Update

Program Manager Gene Troy reported no updates at this time.

Update on Commissioner Badges

Chair Romain remarked that he had received the email from Ms. Elouise Williams that the badges are en route to their mailboxes. Director Lamont Goins reported the badges have been received and that Ms. Elouise Williams confirmed each commissioner's mailing information individually. The badges have been mailed and we are waiting for the confirmation from each commissioner that they have received their badges. We are making arrangements to manufacture badges for the new commissioners. We will follow up with them also. Chair Romain thanked Director Goins for his report.

NEW BUSINESS

Affordable Housing in North Carolina

Chair Toussaint Romain reported that he worked with the local HRCs as part of the statewide meeting. There is a great need for making housing affordable. In Charlotte, there are tent cities that are infested with rats and the individuals living there are being forced to move with nowhere else to go. He is working with some churches, Novant, and some philanthropists who have been working to create some opportunities to help those individuals with assistance on a short-term basis. Once they access their long-term needs, they will be coming to this HRC for assistance.

Capital Riots and Law Enforcement Updates

Program Manager Gene Troy reported that on January 11, 2021, he sent two emails to the local HRC and local HR Department for two links of two stories that the FBI sent out notices to all law enforcement agencies in Washington DC and across the nation that they were bracing for kinds of protests on Inauguration Day. On January 12, 2021, the same emails were sent to the commissioners to inform them. From January 11-24, 2021, the state highway patrol, state capital police, Raleigh police department, and Wake sheriff's department, along with branches of the FBI and ATL for stationing and patrol around the State Capitol Building in lieu of the warnings of possible protests and riots. The state Human Resources sent to all state employees that worked in that area to stay from that area and work from home from January 18-20, 2021. On January 16-17, 2021, Mr. Troy personally observed that there was a heavy law enforcement presence in that area, but no protestors. The same was reported on January 18-20, 2021. On January 27, 2021, the U. S. Homeland of Security issued a national terrorism bulletin warning of the potential for lingering violence for people motivated by anti-government sentiment after President Biden's election suggestion that the January 26, 2021 riot at the U. S. Capitol may embolden extremists to do additional attacks. That information has been distributed to all local HRCs and departments.

Commissioner Ralph Stevenson added to the report items that were removed from the U. S. Capitol during the riot. Chair Romain stated that he is a member of the FBI Citizens Academy, where he receives updates and other information on individuals who apart of Capital riots, etc. Those that were involved in the U. S. Capitol riots are being sought and will be prosecuted. He followed up with remarks. He thanked Mr. Troy for the report.

Local HRC Collaboration

Chair Toussaint Romain reported that he was able to attend the local HRC update collaboration. Resources are being sought to support the budget of the local HRC and joint work. They are ready to begin working to represent North Carolina.

Decision of the State Board of Education

Commissioner Amelia Stinson-Wesley reported that she brought this up with Chair Romain in anticipation of the January HRC meeting (postponed) because that was before the next meeting of the State Board of Education to discuss the issue of diluting language around the terms systemic racism, gender identity, and systemic discrimination to shift to the singular terms of racism, identity, and discrimination. This is in the new North Carolina social studies standards that were being adopted. The State Board of Education has met since then and have already voted on the changes. She wanted to know does this HRC body need to discuss or have commentaries on some of the other things that other state constituted boards or agencies do? This falls into our purview and yet they have already acted on those items. She just wanted to bring this to the attention of this HRC body. Chair Romain thanked her for her report. He then asked Attorney Richard Boulden to advise the body whether this HRC is allowed to comment on what other boards or agencies are doing. Attorney Boulden answered, the short answer is yes. The long answer is it depends on whether it would be wise and effective to comment in the particular situation. Chair Romain thanked him for his answer. Commissioner Ralph Stevenson commented that he hates for the HRC to be a target. He said he does not think that would be a good idea to comment on that situation and it need to be of relevance to the HRC. Commissioner Harris commented that the HRC should not sit back just because we may be a target and the HRC should make a presence. Commissioner Stevenson suggested the HRC should stay within the affordable housing criteria and not comment on something that has already taken place. Commissioner Harris said systematic racism needs to be discussed when it comes to affordable housing. Chair Romain thanked the commissioners for their comments. He gave remarks on how the HRC will move forward strategically without fear of losing the HRC's identity. We're here to do right, we're here to do justice, we're to act and walk mercifully, we're here to do what we were called to do, and that is this kind of work. We're not disagreeing on purpose on our mission, we may just have some issues on how we would precede. Chair Romain said he is grateful for this discussion. He thanked the commissioners again for their comments.

Creating a Legislative Agenda for Our HRC

Commissioner Amelia Stinson-Wesley reported on the conversations in the former Affordable Housing Sub-Committee with Commissioner Angelo Mathay and Co-Chair Mathew Hughes about forming a Legislative Agenda. Through her research, she found out that the HRC in the past did have a Legislative Agenda. She suggests that it will be reestablished, so that HRC can advocate for things like dealing with source of income discrimination when it comes to affordable housing and taking some of our principles and putting them into tangible goals that we would like to see achieved at the state level. Chair

Romain remarked that the HRC do have commissioners appointed from the General Assembly and it would be fruitful and worthwhile to have this and be able to track what is happening in the General Assembly and to be empowered to move forward. We should vote or entertain whether this should be a committee or just a few commissioners working together. Commissioner Ralph Stevenson asked a question directed to Attorney Boulden, does the HRC have access to the legislative liaison of OAH and if so, that would be a very direct connection. He also discussed other legislative subjects. Attorney Boulden answered that he was uncertain at the time. Director Goins commented that he would take it up with Judge Mann to receive an answer and do a follow-up answer with the HRC as to how it would be implemented. Commissioner Stevenson said he would be willing to work with this group. Commissioner Stinson-Wesley stated that Commissioner Angelo Mathay previously suggested a Legislative Agenda Committee. Commissioner Hughes also agreed on forming a Legislative Agenda by way of a Committee or Group. He also commented on other reasons for having this committee/group. Chair Romain remarked on the appointed commissioners to meet with Director Goins and the OAH liaison on formulating a Legislative Agenda by way of a Committee to receive reports from them. He also thanked them for their comments. Commissioner Linda Jackson Barnes commented that she is interested in serving on the Legislative Committee. Commissioner Stinson Wesley stated she will reach out to her.

Pending Employment Crisis

Director Lamont Goins reported since March 20, 2020 nearly a million North Carolinians have received unemployment benefits. Ten billion in unemployment benefits have been issued; 220 million extended benefits have been paid out and will end in February 2021. Some claimants have received money from the pandemic emergency unemployment compensation program that lasted for an additional eleven weeks and that will end in March 2021. We will see a lot of families without income or any means of support which is the crisis up until now; we have not had to deal with. Chair Romain thanked him for the report and asked him for recommendations to the HRC on how to offset the crisis or to deal with the crisis. Director Goins stated he did not have any recommendations at this time, but he has noticed there is Legislation pending in the General Assembly in the form of a public relief bill to address some of this. They may act on this in regard of what the numbers are. He feels no matter what the numbers are that it will probably be insufficient; simply because in addition to the unemployment numbers there are those that have dropped out of the job market altogether. Chair Romain remarked he thought it was a great point of collaboration and cohesion too. He suggested Commissioner Amelia Stinson-Wesley to follow-up with Director Goins about the pending legislation. She was in agreement to follow-up. Chair Romain thanked Director Goins for the report.

Changes at HUD and Fair Housing Enforcement

Director Lamont Goins reported Matt Ammon was appointed acting secretary and general counsel. Janine Wooten was appointed in January 2021 as acting assistant secretary of Fair Housing and Equal Opportunity. There are no other staff changes at the mid-management level. Chair Romain thanked Director Goins for the report.

Chair Romain opened the floor for questions, comments, and/or suggestions on the last four agenda items. Commissioner Jameesha Harris commented on affordable housing area situation in New Bern. It was owned by the city and was sold to the highest bidder and is now owned by a private owner and they are living in substandard and infested housing. The

majority of the residents are Black and Brown people. What is the process to assist them under the providence of the HRC? Chair Romain asked Attorney Richard Boulden to answer the question. The HRC could form a committee to investigate the problems. It may be more effective, if it is more structural and environmental insufficiencies in order for the HRC to get involved and to present it to the Governor and to the Legislator. Lack of fire extinguishers and escapes violations can be heard by the HRC and forwarded by the HRC to the Governor and to the Legislator. It would be more effective for the people involved to get the local building inspectors and fire marshals, etc. involved in formal complaints and investigations where they can issue citations and require the owners to come up to standards. He suggests that the HRC pass information like this to the enforcement agencies in the locality. Commissioner Harris suggested the HRC to form a committee to assist in this matter and that this does not fall on deaf ears. Chair Romain suggested to invite the individuals to speak to the next HRC meeting and for Commissioner Harris to follow-up with him to find an attorney that may be able to support her in this matter. He suggested the group North Carolina Advocates for Justice that consist of attorneys all over the state that support and champion causes like this. He thanked Commissioner Harris for bringing that to the HRC's attention.

CLOSING REMARKS

Chair Toussaint Romain said his closing remarks. He thanked the HRC staff individually for their work. He also thanked the HRC commissioners for their work. He opened the floor to Commissioner Nicholas Byrne to make brief remarks. Commissioner Byrne summed up an article by John Drescher, a national politics editor at The Washington Post, (former editor of Raleigh News and Observer), that was published in the Washington Post on New Year's Day. The article was about former Governor Sanford in his unique role, in sort of calling out segregation and in advancing civil rights in North Carolina and in the south the article referenced the Good Neighbor Council, and the local councils that were set up around the state in the 1960s from what he understands are the precursor of what we have today as the Human Relations Commission. He will email a copy of it to the commissioners.

ADIJOURN

Commissioner Nicholas Byrne motioned that the meeting be adjourned. It was seconded by Commissioner Ralph Stevenson and Chair Toussaint Romain to adjourn.

The Human Relations Commission meeting adjourned at 1:24 p.m.